IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

COMPANY PETITION NO.730 OF 2006
CONNECTED WITH
COMPANY APPLICATION NO.650 OF 2007

In the matter of the Scheme of Amalgamation of BUC Mechanical Equipments Pvt. Ltd.
With
Eirich Transweigh India Pvt.Ltd.

BUC Mechanical Equipments Pvt.Ltd. ... Petitioner.

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Mrs. Jyostna Pardhi for the Petitioner.
Mr. C.J. Joy, Regional Director.

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CORAM : DR. D.Y.CHANDRACHUD,J.

21st April 2007.

P.C. :

. The sanction of the Court is sought to a Scheme of Amalgamation under Sections 391 to 394 of the Companies Act, 1956. This Company Petition is by the Transferor. The Transferor is a wholly owned subsidiary of the Transferee.

2. By an order dated 16th June 2006, a meeting of the equity share holders was directed to be convened. Meetings of secured and unsecured

creditors were dispensed with on an undertaking to furnish individual notices. A meeting of the equity share holders was accordingly held and the Resolution was carried by the requisite majority. The Chairman's report dated 28th July 2006 has been filed. An affidavit has been filed to the effect that individual notices have been served on the secured and unsecured creditors.

3. Under the Scheme all the assets and liabilities of the Transferor are vested in the Transferee. The Regional Director states through Counsel that all the requisitions of the Regional Director have been duly complied with and that the scheme as proposed is not contrary to the public interest or prejudicial to the interest of the share holders or creditors.

4. There is no objection to the Scheme and hence, since all the requisite statutory compliances have been fulfilled, the Company Petition is accordingly made absolute in terms of prayer clauses (a) to (i).

5. The Petitioner to pay costs of Rs.2500/- to the Ministry of Law and Justice and Official Liquidator.

6. Filing and issuance of drawn up order is dispensed with. All authorities concerned to act on an authenticated copy of order and Scheme annexed to the Petition issued by the Office of this Court.